

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

GARY McNAIR,

Plaintiff,

v.

BATTELLE MEMORIAL  
INSTITUTE, dba PACIFIC  
NORTHWEST NATIONAL  
LABORATORY,

Defendant.

NO. CV-10-5147-RHW

**ORDER GRANTING STIPULATED  
MOTION FOR ORDER OF  
DISMISSAL**

Before the Court is the parties' Stipulated Motion for Order of Dismissal (ECF No. 44). The motion was heard without oral argument.

The parties ask the Court to dismiss the above-captioned case with prejudice and without attorneys fees and costs.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion for Order of Dismissal (ECF No. 44) is **GRANTED.**

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**ORDER GRANTING STIPULATED  
MOTION FOR ORDER OF DISMISSAL ~ 1**

1           2. The above-captioned case is **dismissed** with prejudice and without  
2 attorneys fees and costs

3           **IT IS SO ORDERED.** The District Court Executive is hereby directed to  
4 enter this order, furnish copies to counsel, and **close the file**.

5           **DATED** this 30<sup>th</sup> day of September, 2011.

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7                               *s/Robert H. Whaley*  
8                               ROBERT H. WHALEY  
9                               United States District Judge

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